UNITED STATES PATENT AND TRADEMARK OFFICE

NOTICE OF ALLOWANCE AND FEE(S) DUE

7590	03/05/2009	

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER
SHRESTHA, BIJENDRA K

ART UNIT	PAPER NUMBER
3691	

DATE MAILED: 03/05/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,264	09/10/2001	Kemal Guler	HP-10014767	8692

TITLE OF INVENTION: METHOD AND SYSTEM FOR AUTOMATED BID ADVICE FOR AUCTIONS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	$1510	$300	$0	$1810	06/05/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**

Mail Stop ISSUE FEE
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

7590   03/05/2009

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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

_____ (Depositor's name)

_____ (Signature)

_____ (Date)

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TITLE OF INVENTION: METHOD AND SYSTEM FOR AUTOMATED BID ADVICE FOR AUCTIONS

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nonprovisional	NO	$1510	$300	$0	$1810	06/05/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
SHRESTHA, BIJENDRA K	3691	705-037000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____

2 _____

3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE   (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

☐ Issue Fee

☐ Publication Fee (No small entity discount permitted)

☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (**Please first reapply any previously paid issue fee shown above**)

☐ A check is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____   Date _____

Typed or printed name _____   Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UNITED STATES PATENT AND TRADEMARK OFFICE

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DATE MAILED: 03/05/2009

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1643 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1643 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

PTOL-85 (Rev. 08/07) Approved for use through 08/31/2010.

	Application No.	Applicant(s)
Notice of Allowability	09/955,264	GULER ET AL.
	Examiner	Art Unit	
	BIJENDRA K. SHRESTHA	3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *08/25/2008*.

2. ☒ The allowed claim(s) is/are *1-6,8-13 and 15-20*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the

            International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

        Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

/Hani M. Kazimi/
Primary Examiner, Art Unit 3691

EXAMINER STATEMENT

1.   This action is responsive to the amendment filed on 08/25/2008. Of the original

claims 1-21, claims 7, 14 and 21 have been cancelled by applicants' amendment.

Therefore, claims 1-6, 8-13 and15-20 are under consideration for prosecution of

this application.

Summary of this Office Action

2.   Applicants' arguments filed on <u>08/25/2008</u>, and examiner's amendment

have been fully considered, and discussed in the next section below, are deemed

to be persuasive. Therefore, claims 1-6, 8-13 and15-20 are deemed to be

allowable over the prior art of record, and applicants' request for allowance is

respectfully granted.

EXAMINER'S AMENDMENT

3.   An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

4.   Authorization for this examiner's amendment was given in a telephone interview

with attorney John P. Wagner, Jr. (registration # 35,398) on December 12 and 18, 2008.

The application has been amended as follows:

1.   **(Currently Amended)** A <u>computer implemented</u> method for determining an

optimal bid for an item in a market, said method comprising:

　　　a) selecting characteristics of said market;

　　　<u>b) selecting user-specific auction evaluation criterion;</u>

　　　~~b~~ <u>c</u>) selecting a bidding model, <u>wherein the bidding model specifies bidding</u>

<u>behavior as a function of information held by a bidder and the characteristics of the</u>

<u>market</u>;

　　　~~c~~ <u>d</u>) estimating a structure of said market, wherein unobservable variables are

expressed in terms of observable bids by inverting said bidding model;

　　　~~d~~<u>e</u>) determining a bid function, <u>wherein the bid function is determined based on</u>

<u>the structure of said market and user inputs regarding item being bid and characteristics</u>

<u>of rival bidders</u> ; and

　　　~~e~~<u>f</u>) determining <u>by a processor</u> said optimal bid, which is a prediction of an

amount a bidder should bid, wherein said optimal bid is calculated based upon ~~a~~ <u>the</u>

received evaluation criteria and said bid function.

2.   (Original) The method as recited in Claim 1, wherein said step a) comprises:

　　　receiving a first user input, wherein said first user input comprises information

identifying an item to be bid on;

　　　accessing a database;

　　　retrieving historical bids data from said database;

retrieving auction characteristics data from said database, wherein said auction characteristics data comprise information relating to historical auctions of items similar to said item to be bid on;

outputting said historical bids data; and

outputting said auction characteristics data.

3.   *(Original) The method as recited in Claim 1, wherein said step b) comprises:*

receiving auction characteristics data;

accessing a database;

retrieving from said database said bidding model;

wherein said bidding model is selected based on a corresponding relevance of said auction characteristics data; and

outputting said bidding model.

4.   *(Previously Presented) The method as recited in Claim 1, wherein said step c) comprises;*

receiving said bidding model; receiving historical bids data;

transforming said historical bids data to a sample of inverted bids, wherein said historical bids data are transformed by inverting said bidding model;

estimating a structure of said market, wherein said sample of inverted bids receives application of statistical density estimation techniques to obtain said structure; and

outputting said structure.

5.   *(Original) The method as recited in Claim 1, wherein said step d) comprises:*

receiving a second user input;

receiving a structure;

generating a bid function, wherein said bid function is based on said structure

and said second user input; and

outputting said bid function.

6.   *(Original) The method as recited in Claim 5, wherein said second user input*

comprises:

an auction format; a valuation of said item; and an expected number of rival

bidders.

7.   *(Cancelled)*

8.   ***(Currently Amended)*** *A computer system comprising:*

a bus;

a memory interconnected with said bus; and

a processor interconnected with said bus, wherein said processor executes a

method for determining an optimal bid for an item n a market, said method comprising:

a) selecting characteristics of said market;

b) selecting user-specific auction evaluation criterion;

b̶ c) selecting a bidding model, wherein the bidding model specifies bidding

behavior as a function of information held by a bidder and the characteristics of the

market;

c̶ d) estimating a structure of said market, wherein unobservable variables are

expressed in terms of observable bids by inverting said bidding model;

d e) determining a bid function wherein the bid function is determined based on

the structure of said market and user inputs regarding item being bid and characteristics

of rival bidders; and

e f) determining said optimal bid, which is a prediction of an amount a bidder

should bid, wherein said optimal bid is calculated based upon a the received evaluation

criteria and said bid function.

9.   *(Original) The computer system as recited in Claim 8, wherein said step a)*

comprises:

receiving a first user input, wherein said first user input comprises information

identifying an item to be bid on; accessing a database;

retrieving historical bids data from said database;

retrieving auction characteristics data from said database, wherein said auction

characteristics data comprise information relating to historical auctions of items similar

to said item to be bid on;

outputting said historical bids data; and

outputting said auction characteristics data.

10.   *(Original) The computer system as recited in Claim 8, wherein said step b)*

comprises:

receiving auction characteristics data; accessing a database;

retrieving from said database said bidding model, wherein said bidding model is

selected based on a corresponding relevance of said auction characteristics data; and

outputting said bidding model.

11. *(Previously Presented) The computer system as recited in Claim 8, wherein said step c) comprises:*

receiving said bidding model; receiving historical bids data;

transforming said historical bids data to a sample of inverted bids, wherein said historical bids data are transformed by inverting said bidding model;

estimating a structure of said market, wherein said sample of inverted bids receives application of statistical density estimation techniques to obtain said structure; and

outputting said structure.

12. *(Original) The computer system as recited in Claim 8, wherein said step d) comprises:*

receiving a second user input; receiving a structure;

generating a bid function, wherein said bid function is based on said structure and said second user input; and

outputting said bid function.

13. *(Original) The method as recited in Claim 12, wherein said second user input comprises:*

an auction format; a valuation of said item; and an expected number of rival bidders.

14. *(Cancelled)*

15.   *(Currently Amended)* *A computer readable medium for causing a computer system to execute the steps in a <u>computer implemented</u> method for determining an optimal bid for an item in a market, said method comprising:*

a) selecting characteristics of said market;

<u>*b) selecting user-specific auction evaluation criterion;*</u>

b-<u>c</u>) selecting a bidding model, <u>wherein the bidding model specifies bidding behavior as a function of information held by a bidder and the characteristics of the market</u>;

c-<u>d</u>) estimating a structure of said market, wherein unobservable variables are expressed in terms of observable bids by inverting said bidding model;

d-<u>e</u>) determining a bid function, <u>wherein the bid function is determined based on the structure of said market and user inputs regarding item being bid and characteristics of rival bidders</u>; and

e-<u>f</u>) determining by <u>a processor</u> said optimal bid, which is a prediction of an amount a bidder should bid, wherein said optimal bid is calculated based upon a received evaluation criteria and said bid function.

16.   *(Original) The computer readable medium as recited in Claim 15, wherein said step a) comprises:*

receiving a first user input, wherein said first user input comprises information identifying an item to be bid on;

accessing a database;

retrieving historical bids data from said database;

retrieving auction characteristics data from said database, wherein said auction characteristics data comprise information relating to historical auctions of items similar to said item to be bid on;

outputting said historical bids data; and

outputting said auction characteristics data.

17.   *(Original) The computer readable medium as recited in Claim 15, wherein said step b) comprises:*

receiving auction characteristics data; accessing a database;

retrieving from said database said bidding model, wherein said bidding model is selected based on a corresponding relevance of said auction characteristics data; and

outputting said bidding model.

18.   *(Previously Presented) The computer readable medium as recited in Claim 15, wherein said step c) comprises:*

receiving said bidding model;

receiving historical bids data;

transforming said historical bids data to a sample of inverted bids, wherein said historical bids data are transformed by inverting said bidding model;

estimating a structure of said market, wherein said sample of inverted bids receives application of statistical density estimation techniques to obtain said structure; and

outputting said structure.

19.   (Original) The computer readable medium as recited in Claim 15, wherein said

step d) comprises:

receiving a second user input; receiving a structure;

generating a bid function, wherein said bid function is based on said structure

and said second user input; and

outputting said bid function.

20.   (Previously Presented) The computer readable medium as recited in Claim 19,

wherein said second user input comprises: an auction format; a valuation of said item;

and an expected number of rival bidders.

21.   (Cancelled)

Conclusion

5.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Bijendra K. Shrestha whose telephone number is (571)

270-1374. The examiner can normally be reached on 8:00 AM-4:30 PM (Monday-

Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BKS/3691

/Hani M. Kazimi/
Primary Examiner, Art Unit 3691